

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE: ) CHAPTER 7 CASE  
DEATON, GARY LEE )  
DEATON, MICHELE L. ) CASE NO. 05-28454  
 )  
 ) JUDGE MANUEL BARBOSA  
Debtor(s) )

**NOTICE OF FILING OF THE TRUSTEE'S FINAL REPORT, HEARING ON  
APPLICATIONS FOR COMPENSATION, AND HEARING ON THE ABANDONMENT  
OF PROPERTY BY THE TRUSTEE**

TO the Debtor(s), Creditors, and other Parties in Interest:

1. NOTICE IS HEREBY GIVEN that the Trustee of the above captioned case has filed a Trustee's Final Report and final applications for compensation. A hearing will be held.

At: U.S. BANKRUPTCY COURT  
Kane County Courthouse  
100 S. 3<sup>rd</sup> Street, Room 140  
Geneva, IL 60134

on: **November 20, 2008**  
at: **10:00 a.m.**

2. The hearing will be held for the purpose of ruling on any objections to the Final Report, ruling on applications for compensation and expenses and any objections to the pending applications and transacting such other business as may be properly notices before the Court. ATTENDANCE BY THE DEBTOR AND CREDITORS IS WELCOMED BUT IS NOT REQUIRED.

3. The Trustee's Final Report shows total:

a. Receipts	\$	<u>32,936.99</u>
b. Disbursements	\$	<u>218.00</u>
c. Net Cash Available for Distribution	\$	<u>32,718.99</u>

4. Applications for administration fees and expenses have been filed as follows:

<u>Applicant</u>		<u>Compensation Previously Paid</u>		<u>Fees Now Requested</u>		<u>Expenses</u>
JOSEPH R. VOILAND	\$		\$	4,043.70	\$	
Trustee						
JOSEPH R. VOILAND	\$		\$		\$	1,355.98
Trustee						

JOSEPH R. VOILAND	\$	\$	4,216.00	\$
Trustee's Firm Legal				
JOSEPH R. VOILAND	\$	\$		4.42
Trustee's Firm Legal				

5. In addition to the fees and expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in full for there to be any dividend to general unsecured creditors. The priority dividend is anticipated to be 0.00%.

<u>Claim</u> <u>Number</u>	<u>Claimant</u>	<u>Allowed</u> <u>Amount of Claim</u>	<u>Proposed</u> <u>Payment</u>
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6. Claims of general unsecured creditors totaling \$2,137,333.46, have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The general unsecured dividend is anticipated to be \$1.07%.

Allowed general unsecured claims are as follows:

<u>Claim</u> <u>Number</u>	<u>Claimant</u>	<u>Allowed</u> <u>Amount of Claim</u>	<u>Proposed</u> <u>Payment</u>
1	West Suburban Bank	\$ 801,122.11	\$ 8,601.77
2	Orange Lake County Club	\$ 3,643.82	\$ 39.12
3	McCann Industries, Inc.	\$ 5,490.22	\$ 58.95
4	Navistar Financial Corp	\$ 4,935.82	\$ 53.00
7	St Alexis Medical Center	\$ 139.58	\$ 1.50
8	Kelly Sauder Rupiper Equip	\$ 4,983.50	\$ 53.51
11	World Financial Network National Bank	\$ 324.92	\$ 3.49
12	Kendall Hill Nursery, Inc	\$ 753.00	\$ 8.09
13	SMC c/o Carson Pirie Scott's-HSBC Bank Nevada	\$ 1,687.77	\$ 18.12
14	Discover Bank/Discover Financial Services	\$ 9,307.77	\$ 99.94
15	Marshall Field	\$ 404.73	\$ 4.35
16	Conserv FS	\$ 2,982.03	\$ 32.02
17	Chase Bank USA, N.A.	\$ 8,456.28	\$ 90.80
18	Tide Flex Company	\$ 953.92	\$ 10.24
19	EroTex	\$ 7,715.65	\$ 82.84
20	Von Maur Credit Card	\$ 126.38	\$ 1.36
21	American ExpressTravel Related Svcs Inc	\$ 758.25	\$ 8.14
22	DeBuck's Sod Farm of Wisconsin Inc	\$ 44,622.26	\$ 479.12
23	Patten Industries, Inc.	\$ 93,000.00	\$ 998.55
24	Michael T. Nigro/Nigro & Westfall, P.C.	\$ 12,611.24	\$ 135.41
25	Kohl's Department Store	\$ 638.50	\$ 6.86
26	Recovery Management Systems Corporation	\$ 237.26	\$ 2.55
28	First Sealord Surety Inc	\$ 15,913.50	\$ 170.87
29	Waste Management RMC	\$ 3,258.56	\$ 34.99
30	Citibank USA NA	\$ 1,338.88	\$ 14.38
31	Department of the Treasury-Internal Revenue Service	\$ 781,070.19	\$ 8,386.46

32	MBNA America Bank NA	\$	34,246.61	\$	367.71
33	Fifth Third Bank	\$	16,037.52	\$	172.20
36	Department of the Treasury-Internal Revenue Service	\$	260,356.73	\$	2,795.49
38	Trustees of cement Mason Pe	\$	4,700.00	\$	50.46
39	Midwest Construction Serv	\$	15,516.46	\$	166.60

7. Proposed dividends are approximations. Actual dividends may differ due to interest accrual, fee reductions, or as ordered by the Court.
8. The Trustee's Final Report and all applications for compensation are available for inspection at the office of the Clerk of the Bankruptcy Court, Dirksen Federal Courthouse, 219 S. Dearborn Street, 7th Floor, Chicago, Illinois 60604, or may be viewed on the Court's web site, [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov). If no objections are filed, the Court will act on the fee application(s) and the Trustee may pay dividends pursuant to Federal Rule of Bankruptcy Procedure 3009 without further order of Court.
9. Debtors have been discharged.
10. The Trustee proposed to abandon the following property at the hearing:

Real Estate (180 Peachtree, West Chicago, IL) - \$425,000.00; Real Estate (1135 South Lake, Montgomery, IL) - \$900,000.00; Time Share (Orange Lake Resort, Kissimmee, FL) - \$10,000.00; Checking Account (DuPage National Bank) - \$200.00; Household Goods - \$2,500.00; Wearing Apparel - \$400.00; Jewelry (Watches) - \$200.00; Life Insurance - \$3,000.00; Stock (Landscape Resources) - \$0.00; Stock (Eco Sources, Inc.) - \$0.00; 1979 Midget - \$1,500.00; Preferential Transfer (Steven Slaw) - \$0.00.

The Trustee seeks abandonment of said assets because they are subject to Debtors' valid claim of exemption and/or a duly perfected lien and are of inconsequential value to the estate.

Dated: October 28, 2008

For the Court,

By: KENNETH S. GARDNER

Kenneth S. Gardner  
Clerk of the United States Bankruptcy Court  
219 S. Dearborn Street, 7<sup>th</sup> Floor  
Chicago, IL 60604